703 KAR 5:080

Administration Code

For Kentucky's

Educational Assessment Program

August 2008

703 KAR 5:080 Administration Code for Kentucky's Educational Assessment Program

Table of Contents

I. Rationale

The Kentucky Education Reform Act (KERA) as amended continues to require an innovative student assessment program designed to measure school progress toward the goals specified in the Act. <u>The Commonwealth Accountability Testing System (CATS) includes multiple state-required assessments</u>. This document describes the practices considered appropriate in preparing students for the assessments, in administering them, and in providing for proper security of the assessment materials. Since the issues involved for each type of assessment are different, they are considered separately. The following standards were used in determining appropriate practices:

1. **Professional Ethics:** No test preparation practice shall violate the ethical standards of the education profession in 704 KAR 20:680. Rewards or motivational strategies related to state-required assessments shall be consistent with those applied within the regular curriculum or within the larger school program in general.

2. **Educational Defensibility:** No test preparation practice shall increase students' test scores on the statewide assessment components without simultaneously increasing students' ability to apply the content tested to real life or simulated real-life situations. Activities that are created or implemented for the sole purpose of increasing test scores and do not contribute to the student's overall education are considered in violation of this regulation.

3. **Student Ownership:** All assessment work shall be done entirely by the student.

II. Appropriate Assessment Practices

KRS 158.6455 requires that the school accountability system shall be inclusive of all students. [While the Kentucky Department of Education does not require individual student participation in the components of the statewide testing program the,] The Kentucky Department of Education shall hold schools and school districts accountable for the performance of all students. In the absence of assessment information about the performance of a student, the school shall be assigned a non-performance (low novice) level for that student.

Dedicated time for training on this Administration Code and 703 KAR 5:070, Procedures for the Inclusion of Special Populations in the State-Required Assessment and Accountability Programs, shall be provided for every individual (e.g., teachers, instructional assistants, parents, peer tutors, scribes and readers) involved in any component of the assessment. Everyone involved in any component of assessment shall read, [sign] and comply annually with this Administration Code. Any individual providing support for students with disabilities or limited English proficiency shall receive training regarding appropriate accommodations and confidentiality. The reading [and signing] of this document shall be done prior to portfolio development and any fall test administration. Signature verification of the reading of this document is required. In addition, this Administration Code and 703 KAR 5:070 shall be reviewed by everyone involved in assessment prior to spring test administration. The completed signature page of this document shall be filed within the district in a location agreed upon by the District Assessment Coordinator (DAC) and Building Assessment Coordinator (BAC) [building administrators] and accessible upon request from KDE.

Local district staff shall read and comply with those documents and administration manuals specific to the state-required assessment components with which they are involved. Each test administrator or proctor shall sign a verification form stating that he or she has received and read this Administration Code and the instruction manual. In the administration of statewide assessments, federal and state law (e.g., Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of l973) shall take precedence over administrative manuals provided by the testing contractors.

Test Security

DACs [District assessment coordinators], administrators, and teachers shall ensure the security of the assessment materials before, during, and after test administration. When not being used for a scheduled testing session, all assessment materials shall be stored in a secure location with access granted to authorized personnel only.

Test Security

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
It is appropriate for teachers to know the concepts measured by the statewide assessment and to teach those concepts. Concepts appropriate for curriculum instruction can be found in Kentucky's Core Content for Assessment. Teachers may use test items from previous years released by the KDE to help prepare their students for the assessment. Noncertified persons helping with testing (packing materials, providing accommodations, escorting students to test sites) must sign a nondisclosure form.	Proctors [Teachers and other staff] with knowledge of the content of any secure test item shall not reveal this content to anyone. Teachers or other staff, who become aware of specific test items through any means, shall not use this knowledge to prepare students for the assessment. No deliberate reviewing or reading of test items by an individual or group is permitted. No one shall take notes about or discuss [regarding] the content, concepts or structure of any secure test item.
Students using technology to respond to test items are allowed to save responses to CDs or portable drives, but not to hard drives or servers. Alert papers (i.e., evidence within a student response that the student may cause harm to him/her or to others or may otherwise be suffering abuses) may be copied only by the DAC, BAC, or school administrator. In this case these local district staff may photocopy the pertinent section of the student response and turn those pages over to the appropriate local authorities to assure the safety of the child and the community. The local district shall direct all local authorities that the student response may contain information related to secure test items. The local authorities shall sign a	Electronic or other versions of secure assessment materials or student responses shall not be maintained in the district. Secure test materials shall not be reproduced in whole, in part or paraphrased in any way. Examples include: discussing, e-mailing, photocopying, photographing, handwriting, or typing. Electronic devices with wireless communication or imaging capabilities (e.g. cell phones or cameras) shall not be accessible by students during the testing sessions.

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
nondisclosure form. Test Administrators shall destroy any notes, rough drafts or scratch paper produced by students during testing immediately after each testing session or at the end of the testing day, ensuring that no test item is compromised.	Scoring of test items or rough drafts is not permissible.
Scanning student response booklets/answer sheets for stray marks and good faith effort is permissible.	Student responses shall not be read in their entirety as part of scanning for good faith effort checklists.
Test Administration Manuals shall be distributed to administrators/proctors prior to the testing window. Tests shall be distributed in the order in which they are received in the shrink-wrapped packages.	Test booklets shall not be made available to administrators/proctors until the first scheduled day of testing and shall be secured between testing sessions. No one may have test booklets without authorization from the DAC or BAC [district or building assessment coordinators].
Test Administrators and BACs [Building Assessment Coordinators] shall ensure that any testing materials reused from previous years are free of any marks made by students who have used them in the past.	Local district staff may not show items in the test booklets to anyone not administering the test. [unless directed by the Superintendent (See Section IV of this document for details). Once authorization has been granted to local district staff to have access to the tests, staff shall not use knowledge about the content of any specific questions to prepare students for the assessment.] Test booklets cannot be stored in classrooms unless double locked (such as a lockable storage unit inside a locked room). Access to these locks shall be limited to authorized personnel. Test booklets outside of locked storage shall not be left unattended.

[~~Students in special populations who require the use of computer technology, consistent with 703 KAR 5:070, may have access to the test through appropriate scanning procedures. When these technology applications are applied, secure materials shall be completion of the assessment administration. When space requirements are prohibitive the material may be scanned to larger disk drives if district staff can assure the security of the assessment. When secure material is located on a disk drive, district staff shall assure that on completion of assessment administration, files containing secure materials are permanently and completely deleted from all computer equipment. This applies to both the scanning and entry of secure test materials and student responses~~.]

Procedures for Reporting Errors in Assessment Materials

If an error is found in secure test materials, the following procedure shall be followed:

- Do not reproduce the test item [~~The test item shall not be reproduced~~] in any way (photocopying, photographing, handwriting,[~~or~~] typing, or e-mailing the question in whole, in part or paraphrasing in any way);

- Identify the location of the error (grade level, subject area, form number or letter, item number, and page number);

- Summarize [~~summarization~~] and/or document [~~documentation~~] the error [~~shall be~~] in general and the documentation shall not unduly compromise the security of the assessment. Acceptable reporting is as follows: Grade 4, Reading, Form 1A, Multiple Choice Item number 2, page 30, no correct answer choice provided. [~~No one shall discuss the specifics of any test item with others~~.]

- Notify the local DAC [District Assessment Coordinator] who shall then notify the KDE, Office of Assessment and Accountability and forward any requested documentation.

Classroom Materials
Classroom materials shall not provide a testing advantage to any student.

ACCEPTABLE [~~Okay~~]	NOT ACCEPTABLE [~~Not Okay~~]
Materials may be placed on classroom walls and bulletin boards for instructional purposes anytime during the year. **Periodic tables or materials without content or strategies for solving problems need not be removed or covered.**	**Materials containing content information or strategies for solving problems must be removed or covered from classroom walls, bulletin boards, or other surfaces (e.g., ceilings, floors, blinds, windows, and clothing) during testing sessions.** [~~Staff shall not place materials specifically designed for assessment purposes on~~

ACCEPTABLE [~~Okay~~]	NOT ACCEPTABLE [~~Not Okay~~]
[**Lesson plans shall contain documentation of the relationship between classroom materials posted and instruction.**]	~~classroom walls, [or] bulletin boards, for the purpose of providing assistance to students during state-required testing.]~~
Staff shall follow the specific directions in test manuals of assessments regarding display of classroom materials to ensure reportable scores.	Making any resources not provided for in the administration manuals available to address students' questions during testing is prohibited.
Dictionaries and thesauri, including non-programmable, electronic dictionaries and thesauri may be used **only on** the writing on-demand subtest and during writing portfolio development.	Dictionaries and thesauri shall not be used on the reading, mathematics, science, social studies, arts and humanities or practical living/vocational studies content area tests.
Students shall have access to the types of calculators as designated in the administration manuals accompanying each statewide assessment.	Students shall not share calculators within the testing session. Students shall not leave the testing area to gain access to any calculators, dictionaries or thesauri, blank writing or graph paper, or any resources used for accommodations as specified in 703 KAR 5:070.
Blank writing or graph paper, blank (clear or colored) overlay sheets, and bookmarks free of content may be made available at student workstations.	Test administrators or proctors shall not distribute, [~~or~~] make available at, or attach to students' workstations any information or materials that are not sent as part of the assessment materials or specified in the administration manuals. Examples include: copies of acronym sheets or sheets of paper containing a system for organizing answers; textbooks; mathematics manipulatives; computer tools; or other reference resources, unless the assistance is specified in a student's Individual Education Plan (IEP), 504 or LEP Program Services Plan (PSP) [~~LEP~~] and is consistent with instructional strategies.

Administration Practices

DACs or BACs [~~Building personnel and District Assessment Coordinators~~] shall schedule test administration; arrange for adequate staff to administer the assessment; prepare an accurate student accountability roster; and ensure that all assessment materials are kept secure before, during, and after the testing sessions.

ACCEPTABLE [~~Okay~~]	NOT ACCEPTABLE [~~Not Okay~~]
Words of encouragement and general instructions that <u>direct students to apply themselves to the task at hand, but</u> do not imply evaluation of student work <u>or allow an advantage are permissible</u>. <u>Examples include,</u> "Do your best," "Get started," and "Stay on task".	During testing, test administrators or proctors shall not <u>engage in any behavior that would assist the students in understanding or responding</u> [~~answer student questions that would aid the student in responding~~] to any item on the test. [~~During testing, test administrators or proctors shall not assist a student in understanding the question.~~] <u>No one shall coach, edit, or point out errors in student work on the open response or multiple-choice portions of the test</u>. Test administrators shall not encourage students to edit their responses by providing evaluation of student work through tone, gesture or phrase such as "You can do better." or "You can write more." No district/school staff shall alter student answers at any time (e.g., erasing answers or adding to open response answers).

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
The principal, BAC [building assessment coordinator] and anyone assisting with test administration to students in special populations shall ensure that any accommodations [or modifications] provided shall be consistent with the student's evaluation data, IEP, 504, or PSP [LEP Plan] and the routine delivery of instructional services. Students who exhibit disruptive behavior prior to or during testing may be tested in a different location from their peers.	The use of any [these] accommodations [or modifications] for the assessment shall not inappropriately interfere with or influence the administration of the assessment to other students (e.g. reading/scribing for one student within hearing of any other student).
A student can be allowed a restroom break during a testing session as long as the student is monitored at all times. During testing, test administrators or proctors shall circulate throughout the testing site to monitor students as they work, verifying that students are working appropriately and individually. Principals and district administrators shall ensure that proper monitoring occurs. Interval or restroom breaks may be conducted by the test administrators or proctors at the discretion of the district/school. The length of time, refreshments served and the monitoring of students shall not affect the integrity of testing in any way. Tests should be scheduled to avoid conflicts with lunch; however, if a lunch break is required during testing, lunch shall be brought to the students in the testing area. If there are too many students for this to be reasonable, test materials shall be secured and students shall be escorted to the lunchroom, told not to discuss the test, sufficiently monitored to prevent discussion of test items during the entire lunch period,	Students shall not be allowed to move about the room during a testing session. A student shall not be left alone in a room to take the test. Testing locations or rooms shall not exceed reasonable seating capacity. Test sessions shall be scheduled to prevent overcrowding in the testing location(s). Space in testing locations shall not limit the proctor's ability to circulate and monitor students during testing.

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
and escorted back to the testing area.	
The testing schedule may be changed only if a shortage of personnel exists for providing accommodations to students. If the schedule is changed, all students in the same grade must complete the same testing section by the end of the school day.	Students shall not take more than a single school day to complete a testing session, except where there is a submitted doctor's or nurse's statement of sudden student illness or an emergency documented and submitted by the school principal.
Test sections shall be administered in the order in which they appear in the test booklets, with students of the same grade being simultaneously tested in the same content area and test session in a given school.	The order of testing shall not be altered to facilitate [accommodate] the need for calculators or to provide accommodations.
Students who are absent or missed test sections for any reason may complete these during makeup sessions. The order may be changed for make-up test sessions.	Students shall not be allowed to work ahead to future test session parts or to return to past test session parts.
When administering the statewide assessment, the test administrator or proctor shall observe any time limits and follow the specific directions in the manuals provided.	A student may not be given more time on a specific test part than specified in the administration manual, unless the student has extended time as an accommodation on an IEP, 504 Plan, or PSP.
When students need extended time to complete a test session, this additional time shall begin immediately following the initial administration. If students must move to another test location, they shall be escorted by a school staff member.	A student shall not be allowed to take a test booklet or answer booklet out of the testing area without proper supervision.

Test Preparation and [~~Disciplinary Practices~~] Student Motivation/Rewards

Schools and districts should ensure that all other regulations regarding curriculum, instructional time, and school finances are adhered to when providing test preparation activities and/or student rewards and motivational activities.

ACCEPTABLE [~~Okay~~]	NOT ACCEPTABLE [~~Not Okay~~]
Normal instruction may continue during the testing window as planned in the school/district curriculum map and lesson plans.	Cessation of all normal instruction during the testing window, except during test sessions, is not acceptable.
Regular review of content as part of the ongoing year long instructional practice is acceptable.	Review of core content shall not be developed or modified based on information and content gained from secure test booklets.
Test taking strategies embedded in regular content instruction are acceptable.	Test prep courses with no link to content instruction and the Program of Studies/Core Content are prohibited. Engaging students in activities that have no link to instruction or do not positively contribute to students' overall well-being (e.g., establishing punitive consequences related to testing which result in students being excluded from educational opportunities) is not acceptable.
Student responses may be visually scanned after the testing session to determine disciplinary problems. When a student's responses to test items are reviewed and are found to contain inappropriate language or drawings (e.g. obscenities), the student may be instructed to answer the questions again on separate sheets of paper for disciplinary purposes. The original responses, along with the rewritten ones clearly marked NOT TO BE SCORED—ITEMS RETAKEN FOR DISCIPLINARY PURPOSES, shall be submitted for scoring to the testing contractor.	If disciplinary problems are determined to exist, students shall not be allowed to modify their initial response to test items.

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
Student responses may be visually scanned during or after the testing session to determine good faith efforts based on a checklist created and communicated to students and parents prior to testing. The checklist may include whether students answered all parts of the questions, wrote legibly, and focused on testing during the administration time. Good faith effort checklist may include a pre-writing requirement. The type of pre-write used shall be determined by the student.	Individual results from checklists or any other evaluative statements shall not be made available to students until the entire assessment has been administered and submitted to the BAC or DAC [District Assessment Coordinator]. Teachers may not assign grades to student responses based on specific content area evaluations that require creating a specific scoring guide or making the student responses available to support the assigned scores. Specifying a particular organizer or pre-write method for the good faith effort checklist is not acceptable. Pre-write activities on state assessments shall not require students to develop a complete first draft.
Rewards for scores on good faith effort checklists or performance on state assessments [or motivational strategies related to state-required assessment shall] shall be consistent with those applied within the regular curriculum or within the larger school program in general and attainable year round for student achievement.	Reward systems implemented solely for state assessments are not permitted.
Donations from individuals, businesses, parents, or school staff can be used for student incentives.	Local school board funds, or cash awards from school activity funds generated by students, shall not be used for student incentives to: (a) attend school during the testing window, (b) participate in assessment activities, or (c) perform well on state-required assessments. Extended School Services (ESS) funds shall not be used for test preparation.

Writing Portfolios

Portfolios are a unique assessment component. They are the only portion of the statewide assessment developed under the direction of, and evaluated by, the classroom teacher. Teachers and students are provided with the definition and examples of successful work.

Although portfolio contents may vary, each entry is to be evaluated by certified personnel, trained to apply the same set of standards in the same manner from student-to-student, from school-to-school and from year-to-year. To assure this consistency, appropriate training and monitoring of scoring practices are required. The KDE provides scoring training and opportunities for scoring practice throughout the school year.

Writing pieces produced using practices that are inconsistent with this Administration Code shall not be included in a student portfolio. <u>Additional guidance for Writing Portfolio procedures can be found in 703 KAR 5:010, Writing Portfolio Procedures</u>.

Writing Portfolio Development

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
Teachers provide, in the course of instruction, opportunities for writing appropriate for inclusion in the portfolio.	<u>Providing a course/class just for the creation of a writing portfolio separate from regular instruction is not acceptable</u>.
Teachers allow ample time for preparation of portfolio entries in the classroom and may allow some student work outside of class.	<u>Excessive time shall not be spent on portfolio development and conferencing.</u>
Anyone offering input to students for the development of portfolios shall adhere to the guidelines outlined in the portfolio section of this document [, the *Writing Portfolio Development Teacher's Handbook*, and the *Writing Portfolio Scoring Teacher's Handbook*].	Any assistance or intervention from teachers, peers or others that diminishes personal ownership of the portfolio <u>is prohibited.</u>
Teachers <u>and peer tutors</u> ask questions to clarify the student's purpose, approach, meaning, content, ideas, organization, strategy, sentences, words and mechanics. Teachers <u>and peer tutors</u> may indicate the position of errors (e.g., circle errors, highlight mistakes, put checks in margins of lines where errors occur) and ask students questions about errors. Teachers share and discuss with students the portfolio scoring criteria and samples of student work that exemplify those criteria.	[While it is permissible for teachers and others to mark on student's papers indicating the position of errors,] No one other than the student shall make direct corrections or revisions on a student's work that is to be included in the student's writing portfolio. Altering documentation attesting that portfolio contents were produced by the student is prohibited.

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
Teachers discuss best pieces and possible choices for inclusion in the portfolio with students. Teachers assist students in identifying a variety of tasks that address the required categories and types of portfolio entries.	
Students shall write, type, or word process portfolio pieces by themselves, unless otherwise allowed as accommodations by 703 KAR 5:070.	Typing of the writing portfolio pieces by someone other than the student, unless otherwise allowed as accommodations by 703 KAR 5:070, is not allowed.
Teachers may assign peer tutors and others to assist students with portfolio development. All persons who provide assistance to students in portfolio development shall receive written information and training regarding how assistance may be appropriately provided.	Peer tutors and others shall not provide assistance beyond that which can be provided by the teacher.
DACs can set a completion date prior to the first day of the testing window. This date becomes the official accountability date for the portfolios. ONLY minor changes made by the student to the Table of Contents and Signature Page are permitted after the completion date. The changes must be made before that portfolio is scored.	Adding, subtracting, revising, or working on portfolio entries after the completion date is prohibited.
Teachers are responsible for continuing the development of portfolios for newly enrolled students transferring from other Kentucky schools/districts.	Failure to provide writing instruction and work toward completion of a writing portfolio for a newly enrolled student is unacceptable.

Writing Portfolio Scoring

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
Portfolios of newly enrolled transfer students are to be collected and scored by the school/district where enrolled on the official portfolio accountability date.	Failing to score the portfolio of a newly enrolled transfer student is prohibited. No individual shall instruct or encourage teachers to assign higher or lower scores than are warranted by the work contained within particular portfolios.
Assigning classroom grades (A, B, C, etc.) to individual writing pieces is acceptable.	Assigning performance levels (N,A,P,D) to portfolios prior to the official scoring sessions (pre-scoring) is prohibited.
Only certified school personnel who have received current KDE training may provide accountability scores. For the purpose of writing portfolio scoring, certified school personnel shall include: a person with teacher or administrator certification employed by the district in a certified position; a person with teacher or administrator certification employed by the district in a classified position; or a person with teacher or administrator certification on an approved leave of absence or serving as a substitute. Scorers shall use current scoring materials and apply the scoring standards accurately and consistently. Scoring judgments are made on the basis of language from [on] the scoring guide, using benchmarks, and referring to high-end portfolios to resolve decisions about the correct score [performance level] for a particular portfolio. The district or school shall maintain documentation that all scorers of writing portfolios have been appropriately trained.	Scoring accuracy shall not be compromised by lack of adequate training or inappropriate scoring conditions. While student teachers may participate in the scoring process, they shall not be the scorer of record.

Inclusion of Special Populations

An individual who provides any accommodation to a student with disabilities on any component of the statewide assessment shall be trained in his/her role and responsibilities and abide by confidentiality laws (KRS 160.700 et seq); this Administration Code, and the conditions under which each student uses the accommodations [or modifications] as described in the student's IEP, 504 Plan, or Program Services Plan (PSP) [LEP Plan].

Any accommodations [or modifications] provided during assessment shall be consistent with the requirements specified in 703 KAR 5:070, Procedures for the Inclusion of Special Populations in the State-Required Assessment and Accountability Programs.

Alternate Assessment [Portfolios]

Only a student who meets all of the eligibility requirements for the Alternate Assessment [Portfolio] Program may participate [submit an alternate portfolio]. Eligible students shall be identified through the Admissions and Release Committee (ARC) process.

ACCEPTABLE [Okay]	NOT ACCEPTABLE [Not Okay]
Students have primary ownership of their assessment pieces [portfolio]. Any intervention from teachers, peers or others should enhance rather than remove or diminish that ownership. Training is required for administration of the Alternate Assessment components. Alternate Assessment components are considered secure and shall be kept in locked storage until administration.	Altering results of Alternate Assessment components is prohibited. The use of any accommodation or assistive device that is not a regular part of instruction (e.g., if the student uses a communication system for the alternate assessment [portfolio] entry, but does not use the same system as a regular part of his or her instruction) is not permitted. Adding or subtracting, revising, or working on alternate assessment materials [portfolio evidence or entries] after the completion deadline is prohibited.

III. Violations of the Administration Code for Kentucky's Educational Assessment Program

All individuals participating in the administration of the testing program shall comply with the Administration Code for Kentucky's Educational Assessment Program. These steps shall be followed for any alleged state testing violation:

STEP 1 An allegation of inappropriate testing practices received at the KDE shall be referred to the <u>CATS Allegations Coordinator</u> [~~Bureau of Management Support Services, Division of Management Assistance~~].

STEP 2 KDE <u>staff</u> [~~Staff in the Division of Management Assistance~~] shall manage the process for investigating each allegation of inappropriate testing practice. In order to make an investigation possible, an allegation shall include at least the name of the school or school district and a specific allegation. An anonymous allegation of inappropriate testing practices shall be investigated where: (a) the allegation is submitted in writing; (b) the specific name of the school is provided; (c) the names of individuals allegedly committing the inappropriate practices are provided; and (d) the allegation can be corroborated through an identifiable source or document other than the person making the anonymous allegation. Local school district personnel shall be expected to cooperate in the investigation process as requested.

STEP 3 <u>The CATS Allegation Coordinator</u> [~~Staff in the Division of Management Assistance~~] shall report all findings for each allegation to the Board of Review. This Board shall consist of members appointed by the Commissioner of Education representing various Divisions within the KDE or agencies outside the Department of Education.

STEP 4 The Board of Review shall review the findings and make a recommendation to the Commissioner of Education.

STEP 5 The Commissioner of Education shall make a final determination and then notify the school district superintendent [~~and the school board chairperson~~] of this determination. If one or more of the allegations is determined to be valid and warrants invalidation or change of scores, the Commissioner of Education shall direct the Deputy Commissioner [~~of Learning Support Services~~] to make appropriate adjustments in a school's or district's scores.

If one or more of the allegations is determined to be valid and it appears that a school district employee is responsible for the wrongdoing, within 45 days of the date of notification by the Commissioner of Education to the school's district superintendent of the final determination or at the point which the local district superintendent has confirmed the wrongdoing by a certified staff member, whichever is earlier, the local district superintendent shall:

      a.) report in writing to the Commissioner of Education whether <u>or not</u> disciplinary action was taken or considered necessary; and

      b.) comply with his reporting responsibility to the Education Professional Standards Board pursuant to KRS 161.120.

If school or district accountability indices are adjusted as a result of the Commissioner's final determination, individual student reports shall not be changed, but changes to school

or district accountability indices shall be reflected in the next scheduled score report release. Scores used to calculate the affected growth indices shall be adjusted, and may be reduced to non-performance for accountability purposes. [Scores used to calculate baselines for the subsequent cycle shall not be changed.]

STEP 6 After the local district receives the letter from the Commissioner of the action to be taken by the Department, the school may challenge the action by appealing the next performance judgment it receives. This process is described in 703 KAR 5:050, Statewide Assessment and Accountability Program; School Building Appeal of Performance Judgments.

IV. Review of Secure Assessment Components by [Local District and other Certified Staff,] Parents and Persons not in the Employment of a Kentucky Public School District

[Because local district or other certified staff has access to the Kentucky *Core Content for Assessment* and because direct and systematic access to the assessment itself would produce undue risk to security of the assessment, local district and other certified staff shall **not** be permitted routine and systematic access to the assessment. It is recognized that in the administration of the assessment local district or other certified staff may view items and with interaction of students may become knowledgeable of some items. Provisions in this document provide for the reporting of concerns or perceived errors in the assessments. In order to establish the necessary public confidence in the assessment, it may be necessary to permit some parents, under secure conditions, to review the assessment. Procedures are addressed below.]

Some parents and others outside the employment of a local public school district have expressed interest in reviewing the secure components of the statewide assessment, prior to the administration and release of those components. Local school [Because local] district central office staff shall be responsible for reasonable security of the assessment materials; therefore, local districts shall not be required to allow reviews of secure materials, considering the potential demand that would stretch local district staff beyond its capacity to provide for that security.

[If a district chooses to assist in the review of secure testing materials, the review shall take place in the presence of the local district assessment coordinator. A statewide assessment program nondisclosure statement shall be signed by all parties and maintained in the District Assessment Coordinator's files]

[If a district chooses not to permit the review of secure materials under its auspice, the] The KDE may permit this review, maintaining a statewide assessment program nondisclosure statement in the Office of Assessment and Accountability, based on the availability of appropriate staff to supervise the review activities. To facilitate this

process, the KDE may arrange to allow this review [at any of its eight regional offices or] at its offices in Frankfort.

V. Proper Reporting of Nonacademic Indicators (Attendance, Retention, Dropout Rate<u>, Graduation Rate</u> and Transition to Adult Life)

The Nonacademic Indicators <u>of</u> attendance, retention, dropout rate, <u>graduation rate</u>, and transition to adult life are data elements contributing to the school building and school district accountability indices. Local districts shall be responsible for submitting this data as accurately as possible and are responsible for informing the KDE of any known errors in the data reported. Reporting of incorrect data for the purpose of inaccurately affecting the calculation of accountability indices shall be considered a violation of this Administration Code and shall be treated as described in Section III of this document.

VI. Signature Page

District_____School_____

I have received, read and will comply with the:

Administration Code
For
Kentucky's Educational Assessment Program
703 KAR 5:080

_____

Signature: Date: